

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LENA M. MAGERS,)	
)	
Plaintiff,)	4:07CV3058
)	
v.)	
)	
DCDC INSTITUTION CONFINEMENT,)	ORDER OF DISMISSAL
and CMS MEDICAL CONTRACTED,)	
)	
Defendants.)	
_____)	

Magistrate Judge Piester in his August 29, 2007, Order to Show Cause, gave plaintiff 20 days from August 29, 2007, to show cause, if any, why this matter should not be dismissed for failure to prosecute in accordance with the provisions of Fed. R. Civ. P 4(m) and 41(b). On September 21, 2007, counsel for the plaintiff filed a Reply to Order to Show Cause, filing 16. Counsel states that the plaintiff was released from the Douglas County Correctional Center on May 24, 2007, with no forwarding address available and counsel has been unable to locate an address for the plaintiff or the plaintiff. The plaintiff has not made contact with her counsel or the court.

IT THEREFORE IS ORDERED that pursuant to Fed. R. Civ. P. 4(m) and 41(b), this case is dismissed without prejudice.

Dated September 24, 2007.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge